



IT IS ORDERED as set forth below:

Date: October 31, 2019

**Barbara Ellis-Monro
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

Amy Hughes,

Debtor.

CASE NO. 19-42491-bem

CHAPTER 7

ORDER DENYING APPLICATION TO HAVE CHAPTER 7 FILING FEE WAIVED

On October 28, 2019, Debtor filed an Application to Have the Chapter 7 Filing Fee Waived ("Application") [Doc. 4]. The Application and Debtor's schedules show monthly income of \$3,938.40 (\$47,260.80 annually) and a 3-person household.

Under 28 U.S.C. § 1930(f)(1), the Court may waive the filing fee if (1) Debtor's income is less than 150% of the official poverty guideline applicable to Debtor's family size and (2) Debtor is unable to pay the filing fee in installments. In 2019, the official poverty line income amount for a 3-person household is \$21,330. *See* <https://aspe.hhs.gov/poverty-guidelines>. Debtor bears the burden of proving that her circumstances satisfy both requirements of 28 U.S.C. § 1930(f)(1). *See, e.g., In re Spisak*, 361 B.R. 408, 412 (Bankr. D. Vt. 2007).

Debtor has not carried her burden of showing she qualifies for waiver of the Chapter 7 filing fee. Debtor's \$47,260.80 annual household income exceeds \$31,995 (150% of the \$21,330

poverty line for a 3-person household).

Accordingly, it is hereby

ORDERED that the Application is *denied*; however, to allow Debtor an opportunity to pay the filing fee, it is further **ORDERED** that Debtor shall either (1) pay the Chapter 7 filing fee in full within ten (10) days of the date of the entry of this Order, or (2) begin making installment payments as follows:

\$ 85.00 on or before 10 days from the date of the entry of this Order.

\$ 125.00 on or before 30 days from the date of the entry of this Order.

\$ 125.00 on or before 60 days from the date of the entry of this Order.

ALL PAYMENTS MUST BE MADE BY CASH, MONEY ORDER, CASHIER'S CHECK, ATTORNEY'S CHECK, OR TRUSTEE'S CHECK, PAYABLE TO "CLERK, UNITED STATES BANKRUPTCY COURT." **

If Debtor fails to timely pay the filing fee as set forth above, this case may be dismissed without opportunity for hearing.

The Clerk is directed to serve a copy of this Order upon Debtor, the Chapter 7 Trustee, and the U.S. Trustee.

**** Mailing Address**

United States Bankruptcy Court
1340 Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

END OF ORDER

Certificate of Notice Page 3 of 3

United States Bankruptcy Court
Northern District of Georgia

In re:
Amy Darlene Hughes
Debtor

Case No. 19-42491-bem
Chapter 7

CERTIFICATE OF NOTICE

District/off: 113E-6

User: gentryr
Form ID: pdf599

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 31, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 02, 2019.

db +Amy Darlene Hughes, 4756 Tree Top Lane, Cohutta, GA 30710-9708

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 02, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 31, 2019 at the address(es) listed below:

Office of the United States Trustee ustpregion21.at.ecf@usdoj.gov
Tracey L. Montz traceymontz@yahoo.com, tlm@trustesolutions.net

TOTAL: 2